

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

MARY MEHAN,

Plaintiff,

V.

Case No.:

THE TJX COMPANIES, INC., d/b/a
“Marshalls”,

Defendant.

NOTICE OF REMOVAL

PLEASE TAKE notice that on January 28, 2019, Defendant the TJX Companies, Inc., filed a notice of removal, copies of which are attached, of the above-entitled action to the United States District Court for the Eastern District of Virginia, Alexandria Division.

You are also advised that defendant, on filing such notice of removal in the office of the Clerk of the United States District Court for the Eastern District of Virginia, Alexandria Division, also filed copies of it with the Clerk of Circuit Court for Fairfax County to effect removal pursuant to 28 U.S.C. § 1446(e). This Notice of Removal is signed and filed pursuant to Fed. R. Civ. P. Rule 11.

Dated: January 28, 2019

BONNER KIERNAN TREBACH & CROCIATA, LLP

/s/ Heather S. Deane

Heather S. Deane, Esquire
Virginia bar number: 41895
Counsel for Defendant TJX Companies, Inc.
Bonner Kiernan Trebach & Crociata, LLP
1233 20th Street, N.W., Suite 800
Washington, DC 20036
Telephone (202) 712-7000
Facsimile (202) 712-7100
hdeane@bonnerkiernan.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Notice of Removal was mailed first-class, postage prepaid, this 28th day of January 2019 to:

Philip O'Beirne, Esquire
Richard A. Bussey, Esquire
Stein, Mitchell, Cipollone, Beato & Missner, LLP
901 15th Street, N.W.
Suite 700
Washington, D.C. 20005
202-661-0900
pobeirne@steinmitchell.com
Counsel for Plaintiff

/s/ Heather S. Deane

Heather S. Deane, Esquire
Virginia bar number: 41895
Counsel for Defendant TJX Companies, Inc.
Bonner Kiernan Trebach & Crociata, LLP
1233 20th Street, N.W., Suite 800
Washington, DC 20036
Telephone (202) 712-7000
Facsimile (202) 712-7100
hdeane@bonnerkiernan.com

VIRGINIA:

IN THE CIRCUIT COURT FOR FAIRFAX COUNTY

MARY MEHAN,

Plaintiff,

V.

THE TJX COMPANIES, INC., d/b/a
"Marshalls",

Defendant.

Case No.: CL18-0639

NOTICE OF FILING OF NOTICE OF REMOVAL

PLEASE TAKE notice that on January 28, 2019 Defendant The TJX Companies, Inc., filed a notice of removal, copies of which are attached, of the above-entitled action to the United States District Court for the Eastern District of Virginia, Alexandria Division.

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Dated: January 28, 2019

BONNER KIERNAN TREBACH & CROCIATA, LLP

Here

Heather S. Deane, Esquire
Virginia bar number: 41895
Counsel for Defendant TJX Companies, Inc.
Bonner Kiernan Trebach & Crociata, LLP
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I caused a copy of the foregoing *Notice of Filing of Notice of Removal*, this 28th day of January, 2019, to be served, via first class mail, postage prepaid, on:

Philip O'Beirne, Esquire
Richard A. Bussey, Esquire
Stein, Mitchell, Cipollone, Beato & Missner, LLP
901 15th Street, N.W.
Suite 700
Washington, D.C. 20005
202-661-0900
pobeirne@steinmitchell.com
Counsel for Plaintiff



Heather S. Deane

JS 44 (Rev. 07/16)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Mary Mehan
20884 Royal Villa Terrace, Potomac Falls, Virginia 20165

(b) County of Residence of First Listed Plaintiff Loudoun County
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number) 202-661-0900

Philip O'Bierne, VSB No. 71956 Richard A. Bussey, VSB No. 19631
1100 Connecticut Ave., N.W., Ste 1100, Washington, DC 20036

DEFENDANTS

The TJX Companies, Inc. d/b/a "Marshalls" c/o CT Corporation
System 4701 Cox Rd., Suite 285, Glen Allen, VA 23060

County of Residence of First Listed Defendant Henrico County
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Heather S. Deane, VSB 41895 (202-712-7000)
1233 20th Street, N.W., Suite 800, Washington, DC 20036

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|---------------------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input checked="" type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

28 USC 8144(e)
Brief description of cause: Plaintiff fell over store display

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

500,000

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

1-28-19

SIGNATURE OF ATTORNEY OF RECORD

[Signature]

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin.** Place an "X" in one of the seven boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

MARY MEHAN,

Plaintiff,

V.

THE TJX COMPANIES, INC., d/b/a
"Marshalls",

Defendant.

Case No.:

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Dated: January 28, 2019

BONNER KIERNAN TREBACH & CROCIATA, LLP

/s/ Heather S. Deane

Heather S. Deane, Esquire
Virginia bar number: 41895
Counsel for Defendant TJX Companies, Inc.
Bonner Kiernan Trebach & Crociata, LLP
1233 20th Street, N.W., Suite 800
Washington, DC 20036
Telephone (202) 712-7000
Facsimile (202) 712-7100
hdeane@bonnerkiernan.com

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901 15th Street, N.W.
Suite 700
Washington, D.C. 20005
202-661-0900
pobeirne@steinmitchell.com
Counsel for Plaintiff

/s/ Heather S. Deane

Heather S. Deane, Esquire
Virginia bar number: 41895
Counsel for Defendant TJX Companies, Inc.
Bonner Kiernan Trebach & Crociata, LLP
1233 20th Street, N.W., Suite 800
Washington, DC 20036
Telephone (202) 712-7000
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hdeane@bonnerkiernan.com

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

MARY MEHAN,

Plaintiff,

V.

THE TJX COMPANIES, INC., d/b/a
"Marshalls",

Defendant.

Case No.:

PETITION FOR REMOVAL

NOW COMES Petitioner, the TJX Companies, Inc., (hereinafter “TJX” or “Defendant”),
by and through its attorneys, Bonner Kiernan Trebach & Crociata, LLP, and states as follows:

1. Petitioner is the Defendant in the captioned litigation.
2. This action was instituted by Plaintiff against the Defendant by the filing of the Complaint on the 16th day of January, 2018, and the action is now pending in the Circuit Court of Virginia for Fairfax County, At Law Number: CL18-14271. Defendant was served with the Complaint on January 15, 2019.
3. At the time of the commencement of the action, the Plaintiff was a citizen of the Commonwealth of Virginia. *See Complaint.*
4. At the time of the commencement of the action Defendant TJX Companies, Inc. was and is a corporation organized and incorporated under the laws of the State of Delaware, with its principal place of business located in the State of Massachusetts.

5. The amount sued for by Plaintiff is in excess of seventy-five thousand dollars USD (\$75,000.00) in that Plaintiff seeks “the sum of Five Hundred Thousand Dollars (\$500,000.00).” *See Complaint* ¶ 5, attached hereto as Exhibit 1.

6. This civil action involves a dispute between parties of diverse jurisdictions and is subject to the original jurisdiction of the District Court of the United States pursuant to 28 U.S.C. §§ 1332 and 1441.

7. Petitioners file herewith the Complaint filed by Plaintiff as part of this Petition.

WHEREFORE, Petitioner prays this case be removed to the United States District Court for the Eastern District of Virginia, Alexandria Division.

Dated: January 28, 2019

BONNER KIERNAN TREBACH & CROCIATA, LLP

/s/ Heather S. Deane

Heather S. Deane, Esquire
Virginia bar number: 41895
Attorney for The TJX Companies, Inc.
Bonner Kiernan Trebach & Crociata, LLP
1233 20th Street, N.W., Suite 800
Washington, DC 20036
Telephone (202) 712-7000
Facsimile (202) 712-7100
hdeane@bonnerkiernan.com

CERTIFICATE OF SERVICE

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Richard A. Bussey, Esquire
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901 15th Street, N.W.
Suite 700
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202-661-0900
pobeirne@steinmitchell.com
Counsel for Plaintiff

/s/ Heather S. Deane

Heather S. Deane, Esquire
Virginia bar number: 41895
Counsel for Defendant TJX Companies, Inc.
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1233 20th Street, N.W., Suite 800
Washington, DC 20036
Telephone (202) 712-7000
Facsimile (202) 712-7100
hdeane@bonnerkiernan.com

VIRGINIA:

IN THE CIRCUIT COURT FOR FAIRFAX COUNTY

MARY MEHAN
20884 Royal Villa Terrace
Potomac Falls, Virginia 20165

Plaintiff,

v.

THE TJX COMPANIES, INC.
DBA "MARSHALLS"
770 Cochituate Rd
Framingham MA 01701

SERVE:

CT Corporation System
4701 Cox Road, Suite 285
Glen Allen VA 23060

Defendant.

FILED
CIVIL INTAKE
2018 JAN 16 PM 12:01
JOHN T. FREY
CLERK, CIRCUIT COURT
FAIRFAX, VA

2018 0639

Civil Case No.

JURY TRIAL DEMANDED

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT FOR THE COUNTY OF
FAIRFAX:

COMPLAINT

The plaintiff, by counsel, moves the Court for judgment against the defendant on the grounds and in the amount as hereinafter set forth:

1. Mary Mehan, on January 15, 2016, exercising due care for her own safety, was a customer shopping at the Marshalls store located at 8353 Leesburg Pike, Vienna, VA 22182 (hereinafter "the store"), when she was caused to fall due to the unsafe condition of a display in the store, severely injuring herself.

2. At all times relevant hereto, defendant The TJX Companies Inc. (dba "Marshalls") owned, operated and managed the store, and was under a duty to exercise



reasonable care to maintain the store premises, including all merchandise displays, in a reasonably safe condition for customers of the store, including plaintiff Mary Mehan.

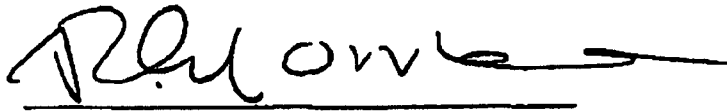
3. Plaintiff Mary Mehan's fall was the direct and proximate result of the negligence of the defendant which, acting by and through its agents and employees, breached its duty to maintain the premises in a reasonably safe condition for customers of the store. Such negligence included, but was not limited to: the negligent, careless, and improper maintenance of store displays creating an unsafe and dangerous condition; the failure to ensure displays were a safe height from the floor; leaving an empty display platform at the end-cap on the store floor and not properly warning store patrons of it; the failure to ensure that all displays contrast clearly in color with the surrounding floor; the failure to warn, post signs or otherwise provide notice of the unsafe and dangerous condition of the displays; the failure to remedy the unsafe and dangerous condition of the displays; and the failure to take precautions against the creation of the unsafe and dangerous condition. As a result of the negligence of the defendant, as aforesaid, the area where plaintiff Mary Mehan fell was unreasonably dangerous to her.

4. As a direct and proximate result of the defendant's negligence, as aforesaid, plaintiff Mary Mehan was caused to sustain serious and permanent injuries to mind and body, including but not limited to injuries to her shoulder, head, back, and tailbone; has suffered and will continue to suffer great pain of body and mind; has sustained permanent disability and deformity; has incurred and will incur in the future hospital, doctors' and related bills in an effort to be cured of said injuries; and has been prevented from engaging in her usual occupations and pursuits.

5. WHEREFORE, plaintiff Mary Mehan demands judgment against defendant The TJX Companies Inc. in the sum of \$500,000, and her costs in this behalf expended.

MARY MEHAN

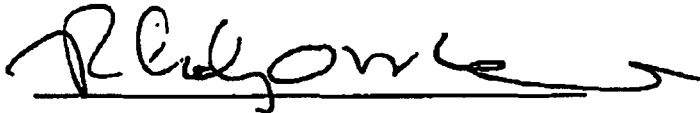
By Counsel



Philip O'Beirne, VSB No. 71956
Richard A. Bussey – VSB No. 19631
Stein, Mitchell, Cipollone, Beato & Missner LLP
1100 Connecticut Ave, NW, Suite 1100
Washington, DC 20036
(P) 202-661-0900
(F) 202-296-8312
Email: pobeirne@steinmitchell.com
Counsel for Plaintiffs

JURY DEMAND

Plaintiff demands a trial by jury of all issues.



Philip O'Beirne, VSB No. 71956

SPS

COMMONWEALTH OF VIRGINIA
CIRCUIT COURT OF FAIRFAX COUNTY
4110 CHAIN BRIDGE ROAD
FAIRFAX, VIRGINIA 22030
703-691-7320
(Press 3, Press 1)

Mary Mehan vs. TJX Companies Inc, The

CL-2018-0000639

TO: TJX Companies Inc, The
d/b.a Marshalls
Serve: CT Corporation System
4701 Cox Road Suite 285
Glen Allen VA 23060

SUMMONS – CIVIL ACTION

The party upon whom this summons and the attached complaint are served is hereby notified that unless within 21 days after such service, response is made by filing in the Clerk's office of this Court a pleading in writing, in proper legal form, the allegations and charges may be taken as admitted and the court may enter an order, judgment or decree against such party either by default or after hearing evidence.

APPEARANCE IN PERSON IS NOT REQUIRED BY THIS SUMMONS.

Done in the name of the Commonwealth of Virginia, on January 9, 2019.

JOHN T. FREY, CLERK

By: 

Deputy Clerk

Plaintiff's Attorney: Philip O'Beirne



**Service of Process
Transmittal**

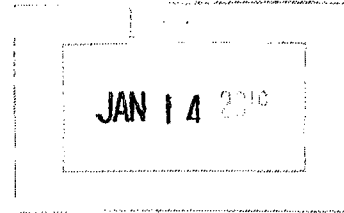
01/11/2019

CT Log Number 534714388

TO: Debra David, Paralegal
The TJX Companies, Inc.
770 Cochituate Rd
Framingham, MA 01701-4666

RE: Process Served in Virginia

FOR: The TJX Companies, Inc. (Domestic State: DE)



ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: MARY MEHAN, PLTF. vs. THE TJX COMPANIES, INC., DFT.
DOCUMENT(S) SERVED: PROOF, SUMMONS, COMPLAINT, NOTICE, CERTIFICATE
COURT/AGENCY: Fairfax County Circuit Court, VA
Case # CL20180000639
NATURE OF ACTION: Personal Injury - Failure to Maintain Premises in a Safe Condition - On 01/15/2016
ON WHOM PROCESS WAS SERVED: C T Corporation System, Glen Allen, VA
DATE AND HOUR OF SERVICE: By Process Server on 01/11/2019 at 11:56
JURISDICTION SERVED : Virginia
APPEARANCE OR ANSWER DUE: Within 21 days after such service
ATTORNEY(S) / SENDER(S): Philip O'Beirne
Stein, Mitchell, Cipollone, Beato & Missner LLP
1100 Connecticut Ave, NW, Suite 1100
Washington, DC 20036
202-661-0900
ACTION ITEMS: CT has retained the current log, Retain Date: 01/11/2019, Expected Purge Date:
01/16/2019
Image SOP
Email Notification, Debra David debra_david@tjx.com
SIGNED: C T Corporation System
ADDRESS: 4701 Cox Road
Suite 285
Glen Allen, VA 23060
TELEPHONE: 804-217-7255

Scanned 01.16.19
cl.g640314467
m0139 01.15.19
File set up

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SPS

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

PROOF OF SERVICE

Mary Mehan
Plaintiff

VS

TJX Companies Inc, The
Defendant

CL-2018-0000639
Subtype: Summons & Complaint
Serve: TJX Companies Inc, The

STATE OF _____

CITY/COUNTY OF _____, to wit:

This day _____

personally appeared before the undersigned Notary Public in and for the City/County and State
aforesaid, and, having been first duly sworn according to law, deposes and states as follows: that
he/she is not a party to, or otherwise interested in, the subject matter in controversy in the within
cause, that he/she is over the age of 18 years; that on the ____ day of _____, 20____, at
_____ o'clock ____m. he/she served the within Complaint, in person, on the Defendant
_____ at _____

_____ and the Defendant is / is not a
resident of the State of Virginia.

AFFIANT

TITLE

Subscribed and sworn to before me in my City/County and State aforesaid, this
_____ day of _____, 20____.

Notary ID #: _____

NOTARY PUBLIC

My Commission expires: _____

